



Federal Communications Commission  
Washington, D.C. 20554

June 25, 2007

**DA 07-2773**

**Released: June 25, 2007**

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

World Television of Washington, LLC  
KBCB(TV)  
5670 Wilshire Boulevard  
Suite 1300  
Los Angeles, California 90036

Re: World Television of Washington, LLC  
KBCB(TV), Bellingham, Washington  
Facility ID No. 53586  
File No. BRCT-20061002AYG

Dear Licensee:

This refers to your license renewal application for station KBCB(TV), Bellingham, Washington.

In the Children's Television Act of 1990, Pub. L. No. 101-437, 104 Stat. 996-1000, *codified at* 47 U.S.C. Sections 303a, 303b and 394, Congress directed the Commission to adopt rules, *inter alia*, limiting the number of minutes of commercial matter that television stations may air during children's programming, and to consider in its review of television license renewals the extent to which the licensee has complied with such commercial limits. Pursuant to this statutory mandate, the Commission adopted Section 73.670 of its Rules (the "Rules"), 47 C.F.R. § 73.670, which limits the amount of commercial matter which may be aired during children's programming to 10.5 minutes per hour on weekends and 12 minutes per hour on weekdays. *Children's Television Programming*, 6 FCC Rcd 2111, 2118, *recon. granted in part*, 6 FCC Rcd 5093, 5098 (1991). The commercial limitations became effective on January 1, 1992. *Children's Television Programming*, 6 FCC Rcd 5529, 5530 (1991).

Moreover, Section 73.3526 of the Rules requires a commercial broadcast licensee to maintain a public inspection file containing specific types of information related to station operations.<sup>1</sup> Pursuant to subsection 73.3526(e)(11)(ii), each commercial television broadcast station is required to place in its public inspection file, on a quarterly basis, records sufficient to allow substantiation of the licensee's certification, in its renewal application, of its compliance with the children's television commercial limits imposed by Section 73.670 of the Rules. This subsection of 73.3526 requires licensees to place such records concerning its compliance with the

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<sup>1</sup> See 47 C.F.R. § 73.3526.

commercial limits in the public inspection file by the tenth day of the succeeding calendar quarter. Where lapses occur in maintaining the public file, neither the negligent acts nor omissions of station employees or agents, nor the subsequent remedial actions undertaken by the licensee, excuse or nullify the licensee's rule violation.<sup>2</sup>

On October 2, 2006, you filed the above-referenced license renewal application for station KBCB(TV). In response to Section IV, Question 5 of that application, you certify that, during the previous license term, KBCB(TV) failed to comply with the limits on commercial matter in children's programming specified in Section 73.670 of the Commission's Rules. In Exhibit 19, you indicate that station KBCB(TV) exceeded the children's television commercial limits by 30 seconds on three occasions between February 12, 2000, and February 26, 2000. You attribute the overages to human error.

In response to Section IV, Question 3 of the renewal application, you also certify that, during the previous license term, station KBCB(TV) failed to place in the public inspection file at the appropriate times, all of the documentation required by Section 73.3526 of the Commission's Rules. In Exhibit 17, you state that an internal audit of station KBCB(TV)'s public inspection file revealed that records concerning compliance with the children's programming commercial limits for the first, second, and a portion of the third quarter of 1999 were missing.

Although we do not rule out more severe sanctions for violations of this nature in the future, we have determined that an admonition is appropriate at this time. Therefore, based upon the facts and circumstances before us, we ADMONISH you for the admitted violations of Sections 73.670 and 73.3526(e)(11)(ii) of the Rules described in station KBCB(TV)'s renewal application.

Accordingly, IT IS ORDERED that, a copy of this Letter shall be sent by First Class and Certified Mail, Return Receipt Requested to the licensee at the address listed above, and to Gregory L. Masters, Esquire, Wiley Rein & Fielding LLP, 1776 K Street, N.W., Washington, D.C., 20006.

Sincerely,

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau

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<sup>2</sup> See *Padre Serra Communications, Inc.*, 14 FCC Rcd 9709 (1999) (citing *Gaffney Broadcasting, Inc.*, 23 FCC 2d 912, 913 (1970) and *Eleven Ten Broadcasting Corp.*, 33 FCC 706 (1962)); *Surrey Range Limited Partnership*, 71 RR 2d 882 (FOB 1992).